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Beyond a Reasonable Doubt: Executions of Women in the United States

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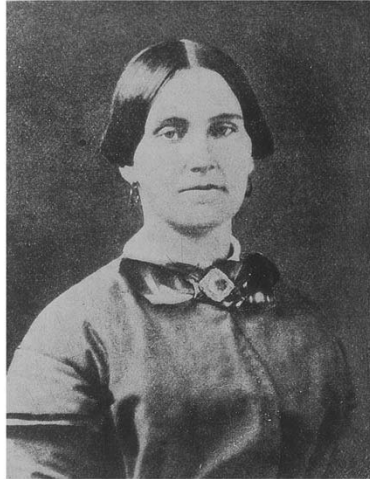
Beyond a Reasonable Doubt

Executions of Women in the U.S.

Erin N. Bush
George Mason University
[@HistoriErin](#)

Hello. Thank you all for coming. My name is Erin Bush. I'm a PhD student at George Mason University in Fairfax, Virginia. My area of specialty is in late nineteenth/early 20th century America. I study gender, family, law, and the institutional responses to violent women. This paper is entitled "Beyond a Reasonable Doubt: Executions of Women in the United States."

The Two Mary's



Mary Surratt



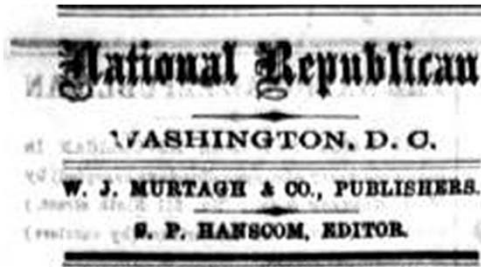
Mary Harris

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In July, 1865 Washington DC stood riveted as Mary Surratt was tried before a military tribunal for conspiring to assassinate President Lincoln. The court found her guilty and she went to the gallows.

In the same month, nineteen-year-old Mary Harris was tried in Federal court for the murder of Adoniram Burroughs a clerk in the Treasury Department. Harris, angered by an announcement that her fiancé was to wed another woman, traveled from Chicago, talked her way into the Treasury building and hid in a doorway outside Burroughs' office. When he emerged, she shot him. Twice. Her defense team argued paroxysmal insanity caused by severe dysmenorrhea. (Temporary insanity caused by painful periods.) She was acquitted.

The National Republican



- July 21, 1865

The Two Verdicts.

The verdict of the Court against Mrs. SURRETT is a vindication of woman's right to be hung for murder; that of the jury in favor of Miss HARRIS is a tribute to the purity of woman. The first is a warning to infamous women; that the sturdy Saxon race cannot be waylaid into false mercy towards any "delicate creature" who commits capital crime. The second is a warning to sneaking villains, that where the law cannot well reach, the woman is law, and will be acquitted by law, for defending her life's life—honor. Both verdicts are the voice of the nation; are complete representatives of America and will have a tremendous influence upon public morality.

All honor to the court which tells the world that no murder can be made romantic enough to escape condign punishment! All honor to the jury which tells the world that the honor of its daughters must be defended—that to invade the sanctity of the weaker is to dare the manhood of the stronger sex, and that man's refusal to meet the emergency is cowardice! All honor to the gallant jury which says that it is woman's virtue which makes home influence; that home influence is the beginning of patriotism, and that patriotism is a nation's life!

G. S. S., U. S. A.

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The National Republican wrote of the two verdicts, "The verdict of the Court against Mrs. Surratt is a vindication of woman's right to be hung for murder; that of the jury in favor of Miss Harris is a tribute to the purity of woman. The first is a warning to infamous women; that the sturdy Saxon race cannot be waylaid into false mercy towards any 'delicate creature' who commits capital crime. The second is a warning to sneaking villains, that where the law cannot well reach, the woman is law and will be acquitted by law, for defending her life's life--honor. Both verdicts are the voice of the nation; are complete representatives of America and will have a tremendous influence upon public morality."

Given the contradictory rhetoric present in this quotation, we could take my entire time here to unpack the gendered assumptions going on here. But I'm more interested in the suggestion that prior to Mary Surratt, women were NOT hung for murder. This assumption led me to investigate further.

Over a semester-long course in digital methods, I used "The Executions in the United States" database—known as the Espy file—for my exploratory research.

The Questions

1. How many women have been executed in America?
2. What is the racial breakdown among these women?
3. That crimes did they commit?
4. When and where did these executions take place?

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My initial research questions were:

How many women have been executed in America?

What is the racial breakdown among these women?

That crimes did they commit?

When and where did these executions take place?

By employing digital techniques, I discovered that Mary Surratt was indeed not the first woman (or even the first white woman) hanged for murder. Digital methods allowed me to broaden my view of executions in the United States and expose the patterns and similarities across cases involving women.

Over the next 20 minutes, I'm going to tell you about the data and its challenges, the methods I used, early results, and new questions that arose as a result of this project.

The Data

The Espy File contains over 15,000 entries on executions performed under civil authority in the United States between 1608 and 2002.

Variables include:

- Age
- Race
- Name
- Sex
- Occupation
- Place / Jurisdiction
- Method of execution
- Crime

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The information in the Espy File is based on the research of amateur historian M. Watt Espy and his colleagues who collected data from a variety of different publicly available sources, prison records, newspapers, county histories, court proceedings, etc.

The complete database contains over 15,000 records of men and women executed between 1608 and 2002. It contains details of each individual executed and the circumstances surrounding the crime for which the person was convicted. The variables are listed here and include race, jurisdiction, method of execution.

Like any collection of data, it's not without its challenges.

The Challenges

- Human-error on data entry
- Mis- or under-representations of military, pirate and Indian executions
- A British bias
- Short on executions of witches
- No guarantee that the executions listed were actually carried out

*Blackman & McLaughlin, "The Espy File on American Executions: User Beware," *Homicide Studies* 2011 15:209-227.


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Scholars Paul Blackman and Vance McLaughlin, both criminologists, undertook an extensive quality assurance review of the Espy file in 2011 and found issues with the coding of the information in the database. These included:
data entry errors common to most freely available databases
Mis- or under-representations of military, pirate and Indian executions.
A British bias, they argue, ignoring executions prior to British settlement.
Short on executions of witches

Most importantly for me, there is no guarantee that the executions in the db were actually carried out. The data does not take into account 11th hour pardons, stays, commutations, which often occurred in response to a public outrage—especially in regards to white women.

Still the nature of my exploratory research allows me draw very broad conclusions based on initial patterns and queries despite these issues.

The Source for Crime and Justice Data



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Executions in the United States, 1608-2002: The ESPY File

Principal Investigator(s): Espy, M. Watt; Smykla, John Ortiz

Summary: This collection furnishes data on executions performed under civil authority in the United States between 1608 and 2002. The dataset describes each individual executed and the circumstances surrounding the crime for which the person was convicted. Variables include age, race, name, sex, and occupation of the offender, place, jurisdiction, date, and method of execution, and the crime for which the offender was executed. Also recorded are data on whether the only evidence for the exe... [\(view full summary\)](#)

Persistent URL: <http://dx.doi.org/10.3886/ICPSR08451.v4>

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<http://dx.doi.org/10.3886/ICPSR08451.v4>

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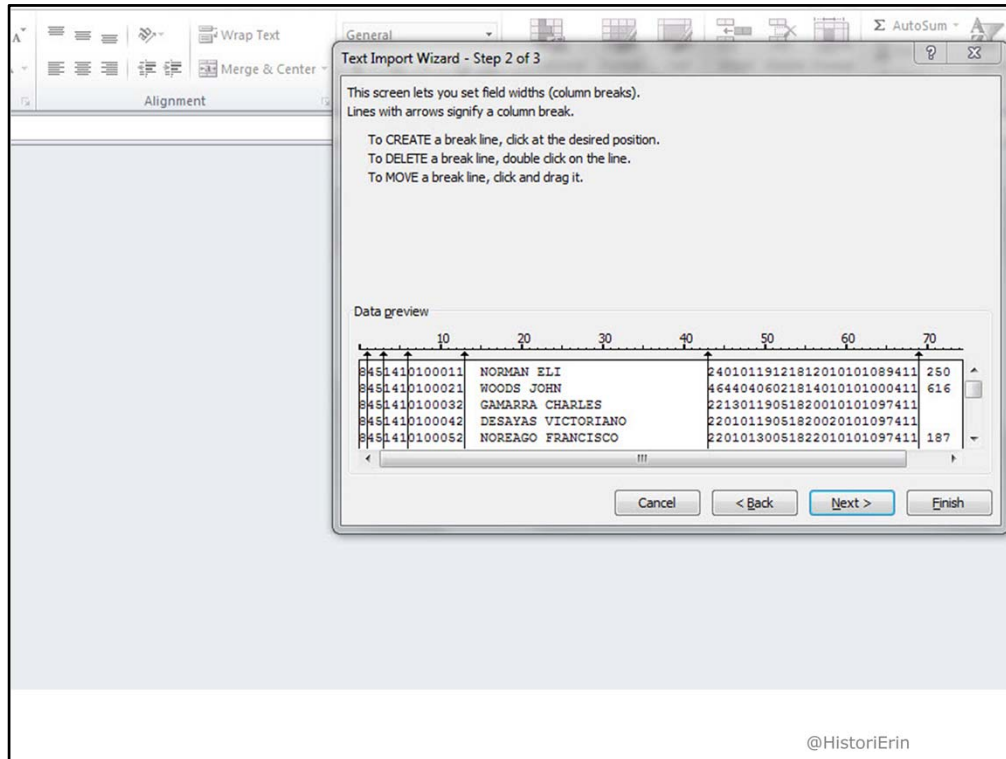
I downloaded the entire database in an ASII file from the National Archive of Criminal Justice Data. The URL is here.

The challenge with an ASCII file, of course, was that a majority of the fields were coded with numbers and on import, these got lumped together into one field.

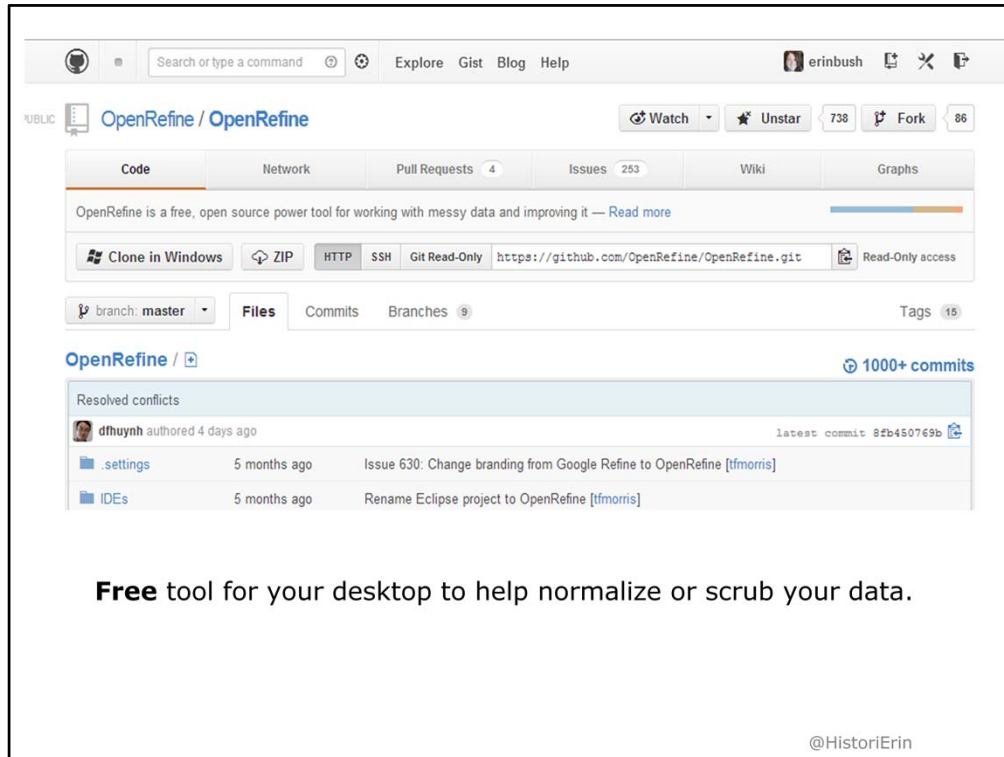
	A	B	C	D	E	F	G	H	I
1	8451410100011	NORMAN ELI		24010119121812010101089411	250				
2	8451410100021	WOODS JOHN		46440406021814010101000411	616				
3	8451410100032	GAMARRA CHARLES		22130119051820010101097411					
4	8451410100042	DESAYAS VICTORIANO		22010119051820020101097411					
5	8451410100052	NOREAGO FRANCISCO		22010130051822010101097411	187				
6	845141010006160	DAVIS THOMAS		22390111101822010101125411	218				
7	8451410100071	WILSON HORATIO		22010115111822010101071411					
8	8451410100082	DAVY		22150102051823010101047411	610				
9	8451410100091	BRIDEWELL WILLIAM		22010124101823010101079411					
10	8451410100101	LESTER EDMUND		22010102011824010101089411					
11	8451410100111	MURPHY THOMAS		22010126021825010101097411					
12	8451410100122	PATSY (GORMAN)		22010110061825010101105412	610				
13	8451410100132	BOB (WILLIAMS)		220101 041827010101125411	610				
14	8451410100141	AVILES JOHN		23010105101827010101097411	616				
15	8451410100151	HESTER JAMES		22010130111827010101125411					
16	8451410100162	MOSES		22020130111827020101125411	610				
17	8451410100172	BEN		22010115051830010101107411	610				
18	8451410100181	WILLIAMS COLEMAN		22010127011832010101101411	479				
19	8451410100192			2222012006183201010105741	610				
20	8451410100201	PRINCE LITTLETON		223701 1833010101109411					
21	8451410100212	HORBERT (MARKS)		22010112011833010101025411	11610				
22	8451410100222	SOLOMON (MEREDITH)		22010112011833020101000411	11610				
23	8451410100233	EAS-KO		220101 1834010101113411					
24	8451410100243	POO-SA-LA		22010112121834010101113411					
25	8451410100251	GREEN STANMORE		22010130051834010101085411					

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Using the database dictionary, I was able to figure out how the columns were separated.



Using Excel's "fixed width" importer wizard, I separated the fields and imported as CSV file. After which, I was able to add in the headings. Now I had an organized database, but no useful information yet.



Using OpenRefine, which you can download for free from Github, I was able to translate the codes in the database into English. Because I planned to run queries and display them live on my site (also I plan to build on this initial database and add research of my own) I created a database using MySQL on my server. I uploaded the newly cleaned and normalized CSV file and then ran various PHP queries based on my questions. From there, plugged the results into Google Charts to visualize them.

The Women

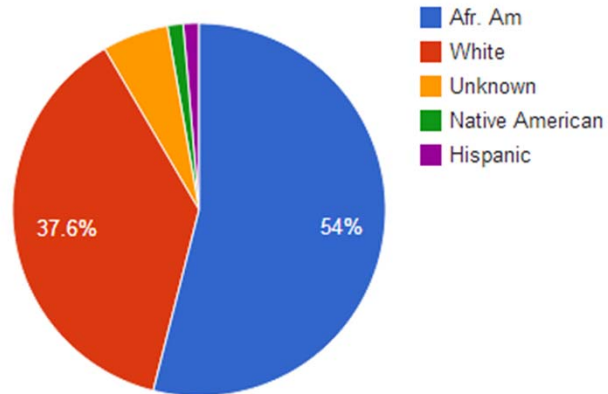
First Name	Last Name	Crime	Method	State	Year
Jane	Champion	Unknown	Hanging	VA	1632
Margaret	Hatch	Murder	Hanging	VA	1633
Dorothy	Talby	Murder	Hanging	MA	1638
Wanda Jean	Allen	Murder	Injection	OK	2001
Lynda Lyon	Block	Murder	Electrocution	AL	2002
Aileen	Wournos	Robbery-Murder	Injection	FL	2002

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Jane is the first woman. Aileen the second. Over 370 years, 365 women were executed, representing just 2.4% of the total executed.

The Women

Racial Breakdown of Executions of Women



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Breakdown of totals of women by race. Numbers are hard to average out over the entire course of the database, but based on the 2010 census approx. 72% of the population in the United States is white.

Afr. Am: 198

White: 138

Unknown: 21

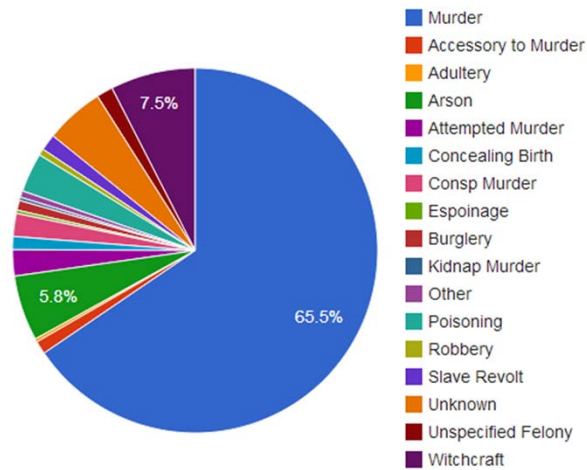
Nat Am: 5

Hispanic: 3

Given the low number of women executed, I wanted to understand what crimes these women committed.

The Crimes

Types of Crime by Executed Women



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(blue) Murder, unsurprisingly topped the list at 65.5% (226)

(purple) Witchcraft was 7.5% (which given the omissions, should be slightly higher) (26)

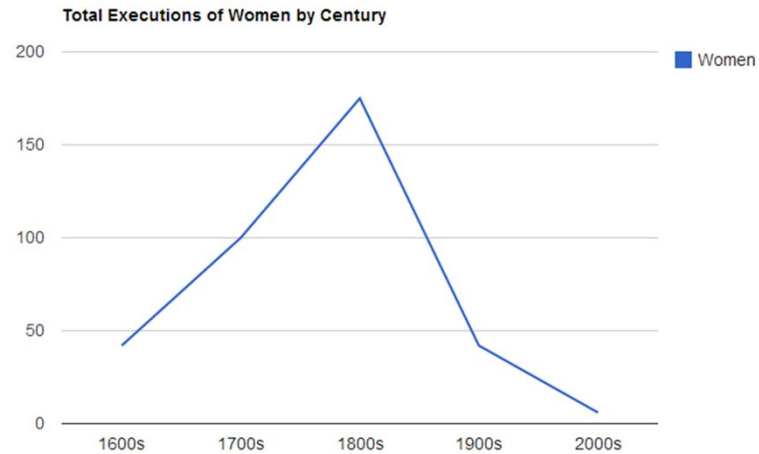
(green) Arson 5.8% (20)

(orange) Unknown at 5.2% (18) and

(turquoise) Poisoning at 3.5% (12)

Under the slave system, the crimes of Arson and Poisoning took on new meanings when committed by slaves. Arson encompassed accidental fires and poisoning included mis-administration of medicine.

The Timing



I had expected to see the peak in the 1900s, but in fact, the 1800s saw the most executions of women. One thing to note, the Supreme Court suspended executions in 1972 in response to several high-profile challenges. It was reinstated in 1973 and I believe by 1977, states had adjusted their laws and executions in those states with capital punishment laws resumed.

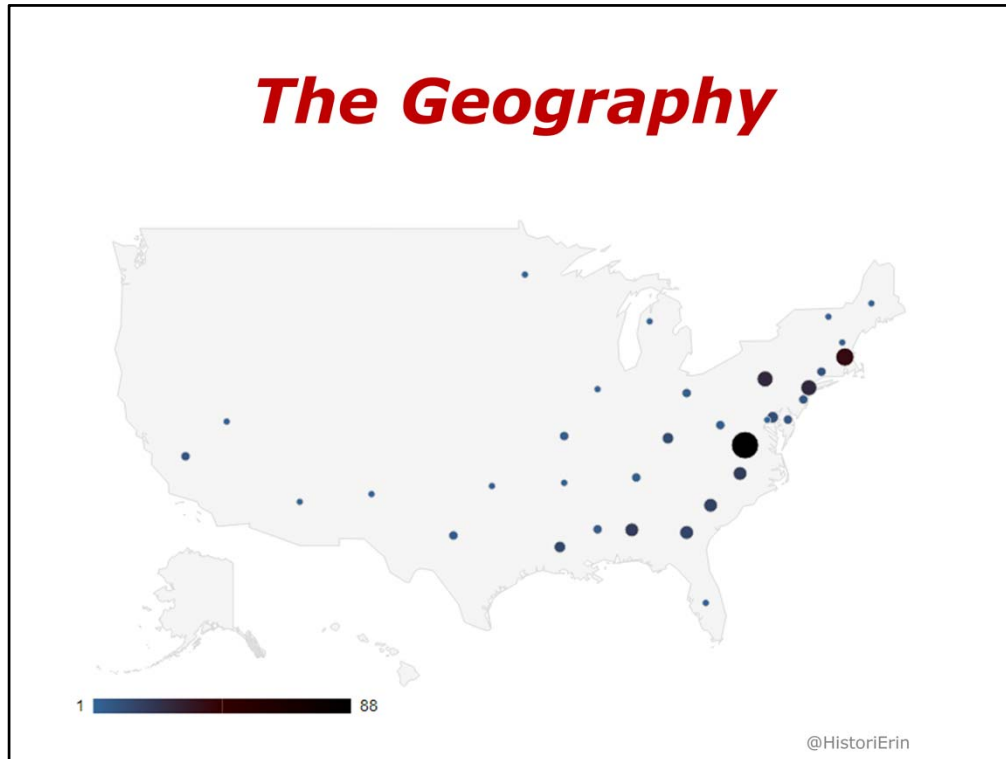
To take a closer look at the peak, I graphed the totals from 1800 to 1930 by decade.

The Timing



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And surprisingly, executions of women spiked the 1830s and dipped to its lowest point in the 1910s. (For comparison, executions of men spike in the 1930s.) So the obvious next question is why? I don't know yet, but plan to look into this further.



Not surprisingly, the original thirteen colonies show a larger representation of the total, whereas the North West and the middle of the country show none. This is a red flag.

The state boundaries are not normalized based on date of statehood. For example, the four executions in WV occurred prior to 1834, which technically means they occurred in Virginia.

Based on what is contained in the database, my home state of Virginia skews the entire map with 88 total women executed. Only 11 of which were white. Only five of Virginia's executions occurred after 1865.

******The geographic distribution of these executions coupled with the peak in 1830s and the racial breakdown of women in the database reinforces known patriarchal and racist standards that existed in the South for much of our history.

These findings suggest that the known double-standards that existed for African-American women under slavery had a compelling influence over which women were executed in Virginia and which were not. This is crucial for my own research. (I already know that more than 11 white women committed violent crimes during this time period.) What was going on there?

The Summary

- Out of 15,000 records, 365 were women.
- African-American women and murder dominate the results.
- Executions peaked in 1830s.
- Virginia executed more women than any other state.

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In conclusion, the results of my initial exploratory analysis reveal interesting patterns.

Out of over 15,000 records, only 2.4% of those were women.

African American women dominate the database as does the crime of murder.

The 1830s saw a peak.

Virginia emerged as the leader in executing women.

As with any good research project, these initial results have spawned a variety of new questions for me. In the essence of time, I'll narrow these down to 2 related issues to further explore.

If slave women comprised the bulk of women executed in the South and given the value placed on slave women, esp after the closing of the Middle Passage, how did the whites justify the execution of personal property? Plantation owners were reimbursed, but how was this loss weighed at the various levels of the process. Why were some slaves executed, while others were not—this seems to indicate that there were other reasons behind these executions.

This leads me to wonder what was happening in the 1830s to justify executing more slave women across the South? Does immigration or population changes affect the

results?

I do intend to build on this to explore how these questions may relate to shifting gender boundaries that may have influenced "reasonable doubt" in American culture.

“The verdict of the Court against Mrs. Surratt is a vindication of woman's right to be hung for murder; that of the jury in favor of Miss Harris is a tribute to the purity of woman. The first is a warning to infamous women; that the sturdy Saxon race cannot be waylaid into false mercy towards any 'delicate creature' who commits capital crime. The second is a warning to sneaking villains, that where the law cannot well reach, the woman is law and will be acquitted by law, for defending her life's life--honor. Both verdicts are the voice of the nation; are complete representatives of America and will have a tremendous influence upon public morality.”

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If we return to the quote by the Daily National Republican, they called the verdict in the Mary Surratt case “a warning to infamous women.” Conversely, they called the verdict in Mary Harris’ case “a warning to sneaking villains.” Mary Surratt is cast as infamous woman while Mary Harris plays the part of the honorable Victorian lady. The double standards of womanhood loom large on the page of The Daily National Republican. And I think they loom large in the database as well.

Because I am interested in how constructed notions of proper womanly behavior affected criminal cases in which women were accused of violent crime, this database has given me some interesting insights.

The various institutional responses to violent women—it’s important to remember that execution was only one possible result—can tell us much about how all women were perceived in American culture. As the verdicts in the cases of Mary Surratt and Mary Harris show, the contradictions present in the construction of womanhood—especially when you factor in the intersections of class, race or ethnicity—could determine not only the public opinion of a woman accused of violent crime, but her ultimate fate. Mining those contradictions opens tremendous opportunities for my research. And this database gives me an excellent place to begin.

Thank you.

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Interactive graphs:

<http://erinbush.org/executions/main.php>

Sources:

http://www.zotero.org/groups/executions_project